IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE NINETEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 12418 of 2004

Between:

1 Doppalapudi Venkateswara Rao S/o Sambasiva Rao
Pamidipadu Village, Narasaraopet Mandal, Guntur District
2 Bandaru Adimma W/o Veeraiah
Pamidipadu Village, Narasaraopet Mandal, Guntur District
3 Yeruva Vasundhara W/o Peddi Reddy
Allurivaripalem, Narasaraopet Mandal, Guntur District
4 Katta Rama Devi W/o Srinivasa Rao
Reddypalem, Narasaraopet Mandal, Guntur District

..... PETITIONER(S)

AND

1 The Joint Collector, Guntur Guntur District
2 The Revenue Divisional Officer, Narasaraopet, Guntur District
3 The Mandal Revenue Officer, Narasaraopet Guntur district

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue any appropriate order or direction, or a Writ more particularly a Writ in the nature of Mandamus directing the Respondents herein to allot the Essential Commodities to the petitioners herein regularly by declaring the action of the Respondents herein in not allotting the stocks is illegal, void and without jurisdiction

Counsel for the Petitioners: MR.GADE VENKATESWARA RAO

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court made the following :

THE HON'BLE MS. JUSTICE G.ROHINI

WRIT PETITION NO.12418 OF 2004

ORAL ORDER :

The petitioners, who are four in number, claim to be the fair price shop dealers in Narsaraopet Mandal, Guntur District. It is stated that all the petitioners are holding valid authorisations. However when they paid the requisite amounts by way of demand drafts in the month of June, 2004 for supply of essential commodities to their respective shops, the same were not supplied. It is stated that aggrieved by the said action of the 3rd respondent– Mandal Revnue Officer, Narsaraopet, the petitioners made a representation before the Joint Collector, Guntur district with a copy to the Revenue Divisional Officer, Narsaraopet requesting to allot the essential commodities to them for the month of June, 2004 for distribution to the card-holders. The grievance of the petitioners is that their request has not been considered so far and the essential commodities to which they are entitled to have not been supplied. In the circumstances, this writ petition is filed seeking a direction to the respondents to allot the essential commodities to the petitioners regularly.

I have heard the learned Counsel for the petitioners and the learned Government Pleader appearing for the respondents.

In case the petitioners are holding valid authorizations and no proceedings are issued either suspending or canceling the authorisations, undoubtedly they cannot

be denied supply of essential commodities for distribution to card-holders.

Having regard to the facts and circumstances, I deem it appropriate to dispose of the writ petition with a direction to the 2nd respondent – Revenue Divisional Officer, Narsaraopet, Guntur district to consider the claim of the petitioners for allotment of the essential commodities and to take the necessary steps in accordance with law. In case it is found that the authorizations of the petitioners are subsisting and there is no other justifiable reason to withhold the supply, the second respondent shall ensure supply of stocks to them within one week from the date of receipt of this order. In case it is found that the petitioners are not entitled for supply of the stocks for any reason the said reasons shall be communicated to them and if the petitioners are aggrieved it is open to them to challenge the same.

The Writ Petition is accordingly disposed of at the admission stage. No costs.

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19-07-2004

Nsr/Ars/gbs

Note:-

Issue Copy tomorrow.

(B/O)

Nsr/Ars/gbs

ASSISTANT REGISTRAR

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SECTION OFFICER

To

1 The Joint Collector, Guntur Guntur District
2 The Revenue Divisional Officer, Narasaraopet, Guntur District
3 The Mandal Revenue Officer, Narasaraopet Guntur district

4. Two CCs to GP for Civil Supplies, High Court Buildings, Hyderabad (OUT)

5. Two CD copies.